

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

ALLSTATE INSURANCE COMPANY, )  
an Illinois corporation, )

Plaintiff, )

v. )

RALPH B. BREEDEN, )

Defendant. )

Civil Case No. 01-1686-AS

O R D E R

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KING, Judge:

The Honorable John V. Acosta, United States Magistrate Judge, filed Findings and Recommendation on June 27, 2008. Defendant filed timely objections to the Findings and Recommendation.

When either party objects to any portion of a magistrate's Findings and Recommendation concerning a dispositive motion or prisoner petition, the district court must make a de novo determination of that portion of the magistrate's report. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982). This court has, therefore, given de novo review of the rulings of Magistrate Judge Acosta.

This court ADOPTS the Findings and Recommendation of Magistrate Judge Acosta dated June 27, 2008 in its entirety.

IT IS HEREBY ORDERED that Allstate's Motion (#209) and Breeden's Motion (#210) for Reconsideration and Breeden's Motion for Certification (#215) are denied.

DATED this 6<sup>th</sup> day of August, 2008.

/s/ Garr M. King

GARR M. KING  
United States District Judge